

x:\ATS52163\adoption

ROGER P. McTIERNAN, JR. (RPM 1680)
BARRY, McTIERNAN & MOORE
2 Rector Street – 14th Floor
New York, New York 10006
(212) 313-3600

Attorneys for Defendant ANN TAYLOR STORES CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION

-----X
DIEGO LITUMA,

Plaintiff,

-against-

**NOTICE OF
ADOPTION**

07 CV 1648

111 WALL STREET LLC, 230 CENTRAL CO., LLC, ALAN
KASMAN DBA KASCO, ANN TAYLOR STORES
CORPORATION, BATTERY PARK CITY AUTHORITY,
BLACKMON-MOORING-STEAMATIC CATASTOPHE,
INC. D/B/A BMS CAT, BROOKFIELD FINANCIAL
PROPERTIES, INC., BROOKFIELD FINANCIAL
PROPERTIES, LP, BROOKFIELD PARTNERS, LP,
BROOKFIELD PROPERTIES CORPORATION,
BROOKFIELD PROPERTIES HOLDINGS INC., CDL NEW
YORK LLC, CITIBANK, NA, CITIGROUP, INC.,
CUSHMAN & WAKEFIELD 111 WALL, INC., CUSHMAN
& WAKEFIELD, INC., ENVIROTECH CLEAN AIR, INC.,
GPS ENVIRONMENTAL CONSULTANTS, INC.,
HILLMAN ENVIRONMENTAL GROUP, LLC., INDOOR
ENVIRONMENTAL TECHNOLOGY, INC., KASCO
RESTORATION SERVICES CO., MERRILL LYNCH & CO
INC., NOMURA HOLDING AMERICA, INC., NOMURA
SECURITIES INTERNATIONAL, INC., STATE STREET
BANK AND TRUST COMPANY, AS OWNER TRUSTEE
OF ZSF/OFFICE NY TRUST, STRUCTURE TONE (UK),
INC., STRUCTURE TONE GLOBAL SERVICES, INC., THE
BANK OF NEW YORK, TOSCORP INC., TUCKER
ANTHONY, VERIZON NEW YORK, INC., WARWICK &
CO., CO., WESTON SOLUTIONS, INC., WFP TOWER A
CO., WFP TOWER A CO. G.P. CORP., WFP TOWER A CO.,
L.P., WFP TOWER B CO. G.P. CORP., WFP TOWER B
HOLDING CO., LP, AND WFP TOWER B. CO., L.P., ET
AL.,

Defendants.


-----X

PLEASE TAKE NOTICE that defendant, ANN TAYLOR STORES CORPORATION as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint dated August 8, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, ANN TAYLOR STORES CORPORATION denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, ANN TAYLOR STORES CORPORATION demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York
December 7, 2007



ROGER P. McTIERNAN, JR. (RPM 1680)
BARRY, McTIERNAN & MOORE
Attorneys for Defendant
ANN TAYLOR STORES CORPORATION
2 Rector Street – 14th Floor
New York, New York 10006
(212) 313-3600

To:
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorneys for Plaintiff
115 Broadway, 12th Floor
New York, New York 10006
(212) 267-3700